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# Security Council

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## Note by the Secretary-General

The Secretary-General has the honour to transmit to the Security Council the sixteenth quarterly report on the activities of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) (see annex). It is submitted by the Acting Executive Chairman of UNMOVIC in accordance with paragraph 12 of Security Council resolution 1284 (1999) of 17 December 1999.

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## Annex

# Sixteenth quarterly report on the activities of the United Nations Monitoring, Verification and Inspection Commission in accordance with paragraph 12 of Security Council resolution 1284 (1999)

## I. Introduction

1. The present report, which is the sixteenth submitted in accordance with paragraph 12 of Security Council resolution 1284 (1999), covers the activities of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) during the period from 1 December 2003 to 29 February 2004.

## II. Developments

2. During the period under review, the Acting Executive Chairman has continued the practice of briefing the respective Presidents of the Security Council, representatives of Member States and officials of the Secretariat on the activities of UNMOVIC. He visited the Commission's Field Office in Cyprus and has also travelled to Moscow for discussions with the Deputy Minister for Foreign Affairs, Yuriy Fedotov, and other senior officials of the Foreign Ministry and the Munitions Agency of the Russian Federation, and to Vienna for discussions with officials of the Department for Disarmament, Arms Control and Non-Proliferation of the Austrian Foreign Ministry.

3. During the period under review, no official information was available to UNMOVIC on either the work of, or the results of, the investigations of the United States-led Iraq Survey Group in Iraq. Nor has the Survey Group requested any information from UNMOVIC.

4. Note has been made however of the testimony of David Kay, the former head of the Iraq Survey Group, before the United States Senate Armed Services Committee on 28 January 2004. At that hearing, among a number of other points, Mr. Kay mentioned that "the efforts that had been directed to this point [of time] have been sufficiently intense that it is unlikely that there were large stockpiles of deployed militarized chemical and biological weapons there [in Iraq]". The Commission has also taken note of the statement of Senator John Warner, Chairman of the United States Senate Armed Services Committee, during the same hearing that the present head of the Iraq Survey Group, Charles Duelfer, had provided assurances that the Group "will be prepared to present to the Congress a second official interim report in the time frame of late March [2004]". The Commission hopes that that report will be made available to it.

5. The Commission has continued to assess material that is in the public domain on the issues pertaining to Iraq's weapons of mass destruction and to compare it against what is known by UNMOVIC about Iraq's various weapons programmes. An example is the discovery by Danish troops of 120-mm mortars in southern Iraq in January, reported in the media as possibly containing a blistering chemical-weapons agent. A statement was later made by the Danish Army to the effect that the laboratory test results on the 120-mm mortars had been negative for the presence of

chemical weapons agents. This is consistent with the Commission's study on Iraq's non-conventional munitions, as Iraq's chemical warfare arsenal was not known to include such 120-mm mortars. Iraq is known to have filled mortar shells only with riot control agents and conventional explosives. A summary of what was previously known to the Commission and UNMOVIC findings during inspections with respect to Iraq's chemical and biological munitions is set out in appendix I to the present report.

## III. Other activities

### Ongoing monitoring and verification plan

6. The Commission's headquarters staff continues the work on draft modifications to the ongoing monitoring and verification plan for Iraq and its annexes, approved by the Security Council in resolution 715 (1991), including the legal framework, operating procedures, and practical arrangements regarding monitoring and verification.

7. The work comprises the incorporation of experiences and practices gained from previous extensive inspection and monitoring activities, revisions of the annexes to the monitoring plan and the updating of the items and materials therein contained in line with technological advances. It also involves the revision of the contents and the formats of the declarations required of Iraq for the different weapons disciplines. The work also aims to take account of the changed circumstances on the ground in Iraq following the last war.

8. It should be noted that, while the list of items and materials subject to the provisions of the export/import mechanism in resolution 1051 (1996) was updated in June 2001, the annexes to the monitoring plan approved in resolution 715 (1991) have not been updated since 1995. There has been a critical assessment of the merit and practicality of monitoring the items included in the current annexes to the plan. This has resulted in a sharper focus on monitoring items that are associated with "choke points" within the processes of dual-use facilities with potential for the production of proscribed items and materials. There have also been some proposed changes to the monitoring plan to keep it in step with amendments and updates to the various multilateral non-proliferation regimes.

9. The draft revisions aim at making the monitoring and verification system technically correct and unambiguous so that all parties (Iraq, the Commission and supplier States) can implement their rights and obligations in an effective manner. An international panel of experts may be convened in the near future to conduct a technical assessment of the proposals, followed by a review by the UNMOVIC College of Commissioners.

### Compendium of Iraq's past proscribed weapons and programmes

10. Another major effort under way is the compilation of a compendium on the nature and extent of Iraq's past proscribed weapons and programmes. An outline of key elements of this work is found hereafter.

11. The compendium looks at the origins of the programmes, including the political and security environment that prompted decisions that led to their establishment. Iraq's rationale for the development of chemical and biological

weapons and means for their delivery is explored, as is the degree to which Iraq saw its chemical and biological weapons programmes as a deterrent or whether it saw value in having offensive capabilities. The extent to which Iraq had a coherent concept of use or military doctrine for its chemical and biological weapons and what role such weapons played in its overall military doctrine is another issue being studied.

12. While Iraq followed the same general routes and experience as other States, it did adopt some unique methods and activities. Iraq's programmes reveal elements which it is essential to understand if wider non-proliferation efforts are to be strengthened.

13. Iraq utilized domestic developments in the fields of military and civilian science and technology for its now proscribed weapons. In several cases, research projects undertaken for defensive purposes were later diverted to offensive activities. One of the aspects of the work in the compendium is therefore to examine the transition from defensive to offensive activities. The transition can be illustrated through Iraq's chemical weapons programme and its history. Iraq's Chemical Corps was created in the mid-1960s with the task of nuclear, biological and chemical protection of troops and the civilian population. As part of its efforts at defensive research, however, Iraq established a laboratory-scale facility to gain practical experience in the synthesis of chemical warfare agents and the evaluation of their properties. Although production of laboratory quantities of chemical weapons agents could have been justified for defensive purposes, such as the calibration of detection instruments and testing of protective equipment, the work of the laboratory also constituted a necessary step in the training of a national cadre for future dedicated chemical weapons research and production. In addition, it contributed to the creation of relevant support infrastructure and a system for the acquisition of equipment and materials. Thus, the development of a defensive laboratory in the period from 1971 to 1973 can be considered as a preparatory stage of Iraq's familiarization with more specific chemical weapons technology and later expansion. The effect of training in foreign centres and universities of Iraqi personnel involved in the weapons of mass destruction programmes is also part of the study.

14. The contribution of Iraq's industrial and conventional weapons projects to its chemical and biological weapons programmes and their means of delivery will also be addressed in the compendium. Iraq's chemical weapons programme was first established in the State Establishment for Pesticide Production, which produced both pesticides and chemical weapons agent. Other parts of Iraq's legitimate industry contributed significant elements to the various chemical and biological weapons programmes and some parts were taken over and their capabilities changed to chemical and biological weapons production. For example, the Daura Foot and Mouth Disease vaccine production facility was taken over by Iraq's Technical Research Centre (the forerunner of the biological weapons programme) and was used for large-scale *Botulinum* toxin production.

15. As part of the "lessons learned", the compendium will also explore specific signatures and indicators of activities relating to weapons of mass destruction and the identification of related facilities, and how the detection of those signs can be applied to future monitoring. Another issue explored is "conversion" or "adaptation" whereby Iraq used modified conventional arms as the basis for the delivery of chemical and biological agents even though they may not have been the most suited

or effective. This leads to another area of study which is the extent to which conventional munitions "signatures" must be monitored in an effort to detect possible activities relating to weapons of mass destruction.

16. The compendium will further examine the extent of assistance and supplies from outside Iraq and the methods used by Iraq to hide the true purpose of some of its procurement and the importance of this in certain programmes. While there are well-established cases of assistance with items and technologies relating to weapons of mass destruction being knowingly provided to Iraq, there were also cases when the suppliers were unaware of the end use of the items and materials sold to Iraq. In several instances Iraq created "cover stories" or actual parallel projects to ensure that suppliers or those providing technical assistance would not become aware of the true nature of the facilities where their equipment or expertise was to be used. Iraq also established elaborate networks of front companies to obtain materials. The compendium attempts to chart these and the financial and organizational infrastructure established to support the networks both inside and outside Iraq. Such an understanding may be useful and applicable in other non-proliferation contexts.

**UNMOVIC network of laboratories**

17. The Commission has established a network of accredited analytical laboratories, according to their capabilities, and arranged contracts for the analysis of chemical and biological samples and hazardous materials. UNMOVIC is in the process of renewing its contracts with those laboratories willing to provide "fee-for-service" support to UNMOVIC. Appendix II to this report provides information about the process and the operation of the Commission's laboratory network.

**Compilation of biological sample analysis**

18. A biological sampling, screening and analysis report has been compiled. The report contains detailed descriptions of all samples handled by the biological inspection team during the period from November 2002 to March 2003, statistical data, and the results of screening performed by UNMOVIC and analysis performed by network laboratories. In addition, the report describes the analytical capability, techniques and procedures applied by UNMOVIC in this area.

**Destruction, removal or rendering harmless**

19. Appendix I to the Commission's thirteenth and fifteenth quarterly reports (S/2003/580 and S/2003/1135) provided details of the weapons and associated production equipment destroyed, removed or rendered harmless in Iraq from 1991 onwards. For ease of reference, a chart is now provided that lays out this work in a chronological fashion (see appendices III.A and III.B to the present report).

## IV. Database, archive and information technology

20. The UNMOVIC database continues to be updated and the electronic archiving of documents continued.

21. UNMOVIC has set up an information technology training environment that mirrors both the systems available at Headquarters and what had been set up at the Commission's Baghdad Centre. Trainees are able to access a demonstration site

database, participate in mock inspections, search for test documents, etc. This allows UNMOVIC to better prepare the information technology skills of future inspectors.

## V. Non-inspection sources of information

22. The Office for Outside Information continues to maintain contacts with representatives of Member States which had provided information to UNMOVIC pertaining to Iraq's proscribed weapons programmes. The Office continues to collect and analyse material from open sources that may be relevant to the work of the Commission.

23. Photographic interpretation continues of post-war commercial satellite imagery of sites in Iraq relevant for inspection and monitoring.

## VI. Field offices in Baghdad, Larnaca and Bahrain

### Baghdad

24. UNMOVIC continues to reduce its remaining local staff in Baghdad. On 1 January 2004, 10 staff members were transferred to the United Nations Assistance Mission for Iraq (UNAMI). By the end of February 2004, UNMOVIC will have 10 local staff members remaining in Baghdad to maintain and protect the non-expendable equipment in the Canal Hotel, including two laboratories (chemical and biological) and a 40-foot mobile chemical laboratory.

### Larnaca

25. The Cyprus Field Office continues to store and maintain the UNMOVIC inspection and monitoring equipment recovered from Iraq. Some items of equipment provided by supporting Governments were recovered from the Canal Hotel in September 2003 and have been returned at the request of the relevant authorities to Austria and the United Kingdom. In addition, the office continues to manage the remaining staff in Baghdad. Early in February 2004, experts from Headquarters travelled to Larnaca to check the serviceability and maintenance requirements of the inspection equipment to continue to maintain two-week operational readiness. The experts also identified and selected equipment for the biological weapons inspection training course in the United Kingdom in February/March 2004 and for future training courses.

### Bahrain

26. The premises of the UNMOVIC Field Office in Bahrain were handed over by UNMOVIC to Civil Aviation Affairs of the Ministry of Transport of Bahrain on 3 December 2003. The handover concludes a successful 13-year contribution of the Field Office in Bahrain to carrying out the Security Council mandate for the Special Commission, UNMOVIC and the International Atomic Energy Agency in Iraq. This contribution would not have been possible without the sustained support of the Kingdom of Bahrain as well as that of UNDP and UNEP.

## VII. Staffing

27. The core staff of the United Nations Monitoring, Verification and Inspection Commission in the Professional grades at Headquarters totals 51 weapons experts and other staff (of 24 nationalities). Of these, nine are women.

28. As noted in paragraphs 24 and 25 above, UNMOVIC has a small number of staff in Cyprus and Baghdad.

## VIII. Technical visits, meetings and workshops

29. An UNMOVIC expert met with experts of the IAEA Iraq Nuclear Verification Office in Vienna to exchange information relating to Iraq's procurement activities. In addition, UNMOVIC experts visited various laboratory locations in Vienna to check their suitability for the installation, operation and maintenance of the Commission's chemical and biological analytical equipment to maintain its operational readiness.

## IX. Training

30. During the reporting period UNMOVIC has continued its training activities and resumed advanced training of experts from the roster.

(a) A specialized training course was conducted from 8 to 11 December 2003 in New York on the operation of state-of-the-art identification instruments for biological weapons agents. Headquarters staff and invited experts from the roster participated.

(b) Another specialized course was conducted from 27 to 29 January 2004, which allowed a number of UNMOVIC staff to obtain internationally recognized certificates for the shipment of hazardous materials, applying International Air Transport Association regulations. Such certificates are required for the shipment of samples to analytical laboratories worldwide.

(c) Enhanced training of Headquarters staff in techniques and equipment used in field operations continued, covering topics such as chemical and alloy analysers, surveillance cameras, personal dosimeters and sampling kits.

(d) A two-week advanced course for biological experts on the roster started on 23 February in Swindon, United Kingdom. The course, organized with the support of the Government of the United Kingdom, is devoted to augmenting practical inspection skills to be used during monitoring inspections of biological sites. A practice inspection of a biological facility offered by the Government of the United Kingdom will be conducted during the course.

31. The Commission remains grateful to those Governments that have supported its training activities.

## X. College of Commissioners

32. On 19 January 2004, the Secretary-General appointed Anatoliy Scherba of Ukraine to the College of Commissioners. Mr. Scherba replaced Kostyantyn Gryshchenko (Ukraine), who had tendered his resignation in November 2003.

33. The College of Commissioners convened in New York for its fifteenth regular session on 24 February 2004. As on previous occasions, observers from the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons attended.

34. In his introductory statement to the College, the Acting Executive Chairman outlined the work done by UNMOVIC staff since the previous meeting of the College. UNMOVIC staff made a presentation on progress in the revision of the monitoring requirements for Iraq.

35. In the discussion that followed, the College commended the Acting Executive Chairman and UNMOVIC staff for the ongoing work and the presentations. Progress on the compendium, as well as on draft modifications to the ongoing monitoring and verification plan to take account of the altered circumstances of operation, were noted. The College underlined the importance of being prepared for ongoing monitoring in the event that the Security Council should ask UNMOVIC to implement existing Council resolutions on Iraq. The College looked forward to reviewing the proposed amended plan when work on it was completed. The importance of the compendium and the lessons that it might provide in the context of disarmament and non-proliferation generally was also stressed. The College supported the training activities of the Commission with a view to updating on a regular basis the expertise of its core staff and experts on the roster. Training should also take into account the changed circumstances in Iraq.

36. It was recognized that while an early discussion of the future role of UNMOVIC by the Security Council would be desirable, the time frame for such a discussion was a matter for the Council. Some concern was expressed that there had been further resignations of expert staff. It was noted that trained and experienced experts, once dispersed, were difficult to reassemble at short notice.

37. The date of the next meeting of the College was provisionally set for 24 or 25 May 2004.

38. In accordance with paragraph 5 of resolution 1284 (1999), the Commissioners were consulted on the contents of the present report.

# Appendix I

## A summary of Iraq's chemical and biological munitions

### Introduction

1. Open source reports announced the discovery of some munitions in southern Iraq in January 2004, and speculated that those munitions contained prohibited chemical warfare agents. Subsequently, it was declared that the munitions in question did not contain prohibited chemical warfare agents.

2. However, the reports cast a spotlight on the subject of prohibited munitions in general and specifically on what was previously known about Iraq's chemical and biological munitions and what was discovered during the period of UNMOVIC inspection activities in Iraq.

3. From 27 November 2002 to 17 March 2003, UNMOVIC conducted over 90 inspections of munitions-related facilities in Iraq. During the course of the inspections a small number of proscribed munitions, components of proscribed munitions or suspect related items were either discovered by UNMOVIC inspectors or examined as the result of declarations by Iraq. No evidence of either current or recent development or production of proscribed munitions was uncovered.

4. The UNMOVIC findings regarding munitions either designed or possibly intended for use with chemical or biological agents and what was previously known about those munitions are summarized below.

## Findings regarding confirmed chemical and biological warfare munitions

5. The four types of munitions referred to in the following paragraphs were all declared by Iraq as having been developed for use with chemical and biological warfare agents and had been destroyed during the period of activity of the Special Commission. The discovery of some of these types of munition by UNMOVIC suggests that residual munitions from the former Iraqi chemical and biological weapons programme may be found in the future.

### 155-mm artillery projectiles

6. Iraq purchased tens of thousands of empty 155-mm artillery projectiles designed to disseminate smoke compounds. Subsequently, the original markings were generally painted over and the projectiles filled with approximately 3.5 litres of the chemical warfare agent mustard. More than 10,000 of these projectiles were destroyed under the supervision of the Special Commission.

7. In October 2002, Iraq declared the existence of 10 mustard-filled munitions at the former Muthanna chemical weapons facility. UNMOVIC was previously aware of the 10 155-mm mustard-filled artillery projectiles remaining from uncompleted Special Commission operations. During operations in mid-February 2003, UNMOVIC inspectors used remote-controlled drilling equipment to both sample and evacuate the contents of the projectiles. Laboratory analysis of the samples

confirmed the contents as high-purity mustard. Both the mustard and the projecti
were destroyed in subsequent operations.

**122-mm rocket warheads**

8. Iraq purchased or produced more than 100,000 empty 122-mm roc
warheads suitable for use with chemical weapons agents. Several different models
warhead were supplied by foreign manufacturers, including the Sakr-18 and 30;
Firos-25 and other manufacturers' copies of those warheads. Iraq also produc
indigenously both aluminium and steel 122-mm warheads similar to those purchas
abroad. The Special Commission supervised the destruction of thousands of th
warheads that had been filled with the nerve agent Sarin. Iraq declared that it h
unilaterally destroyed thousands more.

9. Eighteen 122-mm rocket warheads designed for use with chemical agents we
either declared by Iraq in January 2003 or were discovered by UNMOV
inspectors. The munitions included four Firos warheads declared by Iraq and
Sakr-18 warheads and one Al-Buraq warhead discovered by UNMOVIC inspecto
All of the warheads were examined and no indication of prohibited chemicals w
found.

**Sub-munitions for cluster bombs**

10. In its declaration of December 2002, Iraq described tests conducted in 1988
250-kg CB-250 cluster bombs containing 18 3.5-litre sub-munitions filled with
chemical agent simulant. The Special Commission recovered examples of t
versions of these 122-mm sub-munitions and examined the type of cluster bom
they were tested in.

11. UNMOVIC inspectors visited several relevant sites in an effort to gain a cl
understanding of Iraqi work relating to cluster bombs. During the course of
inspections, a 122-mm sub-munition designed to contain and dissemin
approximately 2 litres of liquid agent was discovered. Subsequently, this su
munition was identified as the 3.5-litre chemical sub-munition declared in
declaration of December 2002 as being tested in the CB-250 cluster bomb. This su
munition was not completely intact and did not contain prohibited agents.

**R-400 aircraft bombs**

12. Iraq developed the R-400 series of bombs to meet technical needs expressed
the Air Force. The steel body 100-litre capacity R-400 was closely patterned af
the 375-kg BRI-P parachute-retarded high explosive filled bomb that Iraq h
purchased in substantial numbers. Biological warfare agents were loaded in
R-400 A version (most had an internal epoxy coating), whereas chemical age
were intended for the uncoated R-400's. Iraq declared the unilateral destruction
some of these bombs and the Special Commission supervised the destruction
others.

13. In February 2003, Iraq invited UNMOVIC to witness the excavation of
remains of R-400 series bombs that had been unilaterally destroyed. Eight in
R-400 bombs were recovered, together with components from 96 additional bo
of the same type. As noted in earlier reports to the Security Council, subseq
laboratory analysis of liquid samples collected by UNMOVIC from two of the in

bombs revealed evidence of fragments of the DNA of *Bacillus anthracis* and of the chemical compounds Iraq used to neutralize the biological agent.

## Findings regarding munitions and components linked to prohibited programmes

14. UNMOVIC inspectors discovered munitions and munition components similar to items Iraq included in its declaration of December 2002. However, no linkage with prohibited programmes was conclusively established prior to the withdrawal of inspectors in March 2003.

### 107-mm rocket warhead

15. Iraq acquired substantial quantities of 107-mm short-range ground-to-ground rockets with conventional warheads. The declaration of December 2002 mentions that Iraq considered, but did not implement, development of a chemical warhead for this rocket.

16. UNMOVIC inspectors discovered a single example of an unfinished aluminium base plate similar in design to base plates for known chemical warheads for other rockets. The diameter of the example discovered suggests that it was intended for a 107-mm warhead.

### 540-mm rocket warhead

17. The 540-mm Luna (Frog-7) rocket is a large battlefield support weapon with a 70-km range. The declaration of December 2002 includes statements regarding the proposed development of several different types of warheads for the Luna, including a cluster warhead for use with chemical agents.

18. An empty fibreglass cluster warhead for the 540-mm Luna rocket was discovered by UNMOVIC inspectors. UNMOVIC believes this warhead is possibly the one described in Iraq's declaration as having been proposed for use with chemical sub-munitions.

## Findings regarding munitions and components whose purpose is under review

19. UNMOVIC inspectors discovered munitions and munition components that are not described in Iraq's declaration of December 2002 although they have characteristics consistent with chemical or biological munitions. It was not possible to clarify the actual purpose of the following items prior to the withdrawal of the inspectors.

- A small number of components of an unusual 81-mm rocket warhead were discovered at two sites. Subsequent comparison of the components with similar components of known chemical rocket warheads suggests that they are part of two different warheads for 81-mm rockets, possibly intended for use with proscribed agents. No trace of proscribed agents was found on the recovered components.

- A fibreglass mould that Iraq identified as intended to produce a cluster warhead for a 200-mm rocket was discovered. Subsequently, inspectors discovered parts identical in design to the base plate for a 122-mm chemical rocket warhead but appropriate in diameter for a rocket of 200-mm diameter. The extent of Iraq's work on 200-mm rockets and the linkage between the warhead mould and the base plate had not been resolved prior to the departure of the inspectors.

- An unusual sub-munition fuse was discovered. This fuse was reportedly intended for use with a conventional sub-munition for the previously described 200-mm rocket cluster warhead. However, subsequent analysis at UNMOVIC headquarters in New York disclosed that the fuse was similar to one observed on an unidentified sub-munition in a video of Iraqi tests of chemical sub-munitions. The detailed analysis of the video pertaining to this sub-munition was carried out after the withdrawal of UNMOVIC inspectors thereby preventing the necessary follow-up investigation.

- A small number of 155-mm steel spheres pierced with a pattern of small holes were discovered at two sites. These spheres were designed for use as sub-munitions in the Iraqi-built Nasr-28 cluster bomb. Site representatives stated that the spheres were designed to spray a smoke-producing compound as they rebounded in the air following impact with the ground. UNMOVIC could not conduct an adequate follow-up investigation for lack of time.

# Appendix II

## UNMOVIC network of laboratories

### Introduction

1. UNMOVIC planned and employed a three-tiered analysis protocol for samples collected in Iraq. In the first stage, collected samples were checked on site for immediate hazards using military and industrial safety monitors. This information was used to help determine sample handling procedures, and to prioritize analysis. The second stage comprised screening at UNMOVIC laboratories in Baghdad. If this evaluation gave ambiguous results, or the results required further verification, it is UNMOVIC policy to send sample aliquots to at least two of the Commission's network laboratories for the final, third stage of analysis. Each laboratory was required to perform analyses as specified by UNMOVIC. The results were then delivered to the Commission for assessment and comparison. If questions arose upon receipt of those results, clarifications would have been requested by UNMOVIC from the individual laboratories.

2. By creating the network, UNMOVIC not only increased its analytical capabilities but also established and maintained working relations with selected laboratories. This proved useful and profitable in many ways, including the use of professionals from those laboratories as experts on the UNMOVIC roster.

3. It was also contractually ensured that UNMOVIC was the only proprietor of both the samples and any information related to them.

### Requirements for the laboratory network

4. The Commission maximized its flexibility by maintaining contracts with qualified institutions throughout the world. UNMOVIC accepted laboratories into the network using a set process. First, a request for proposals describing the chemical and biological group analysis requirements was sent to the prospective laboratories. The requirements contained listed compounds under the ongoing monitoring and verification plan that UNMOVIC expected to look for during its inspections and the types of analysis it might require. UNMOVIC also required that some special instrumentation be available to analyse samples collected to monitor and verify the composition of missile propellants, munitions and industrial products. Other requirements included conformance with UNMOVIC chain-of-custody regulations, agreement to analyse samples within two weeks of receipt, fixed pricing, and possession of quality and safety accreditations from their national authorities as well as international bodies such as ISO. Each laboratory submitted written proposals in response to the request for proposals. If the proposal was deemed satisfactory, the facilities were then reviewed on site for their technical capabilities. Laboratories that met the Commission requirements were awarded a one year fee-for-service contract. UNMOVIC has renewed those contracts that were scheduled to expire in 2004, and has begun contracts with new laboratories in order to maintain a maximum state of readiness. At the time of inspections in Iraq, UNMOVIC had contracts with seven qualifying laboratories around the world. Since March 2003, the Commission has been in the process of expanding its network of laboratories to 11 facilities. The laboratories are listed in the table.

5. Upon receipt of a sample for analysis, the laboratory would have to (a) ensure that the information and data provided by UNMOVIC would be sufficient to properly conduct each analysis requested; (b) conduct the analysis in accordance with UNMOVIC requirements using recognized procedures; and (c) maintain chain-of-custody documentation on each sample starting from its receipt. After analysis, each laboratory was required to submit a report describing the work performed and related analysis results. The report was also required to include copies of import and shipping permits, and photographs of the samples as received.

**Sample transportation**

6. When samples had to be transported to the network laboratories, UNMOVIC had designated staff, trained to ship the materials in compliance with the International Air Transport Association (IATA), related national government, and airline safety regulations. After the samples were prepared, they were flown on a United Nations aircraft to the UNMOVIC field office in Larnaca. The samples were then sent to a member of the laboratory network. In those cases where sample transportation requirements went beyond IATA regulations, UNMOVIC was in contact with commercial dangerous goods shippers to provide the necessary services. Finally, in the case of hazardous samples such as explosives or missile propellant components, UNMOVIC negotiated an ad hoc arrangement for a military aircraft to provide transportation to an appropriate network laboratory.

**List of the network laboratories of UNMOVIC**

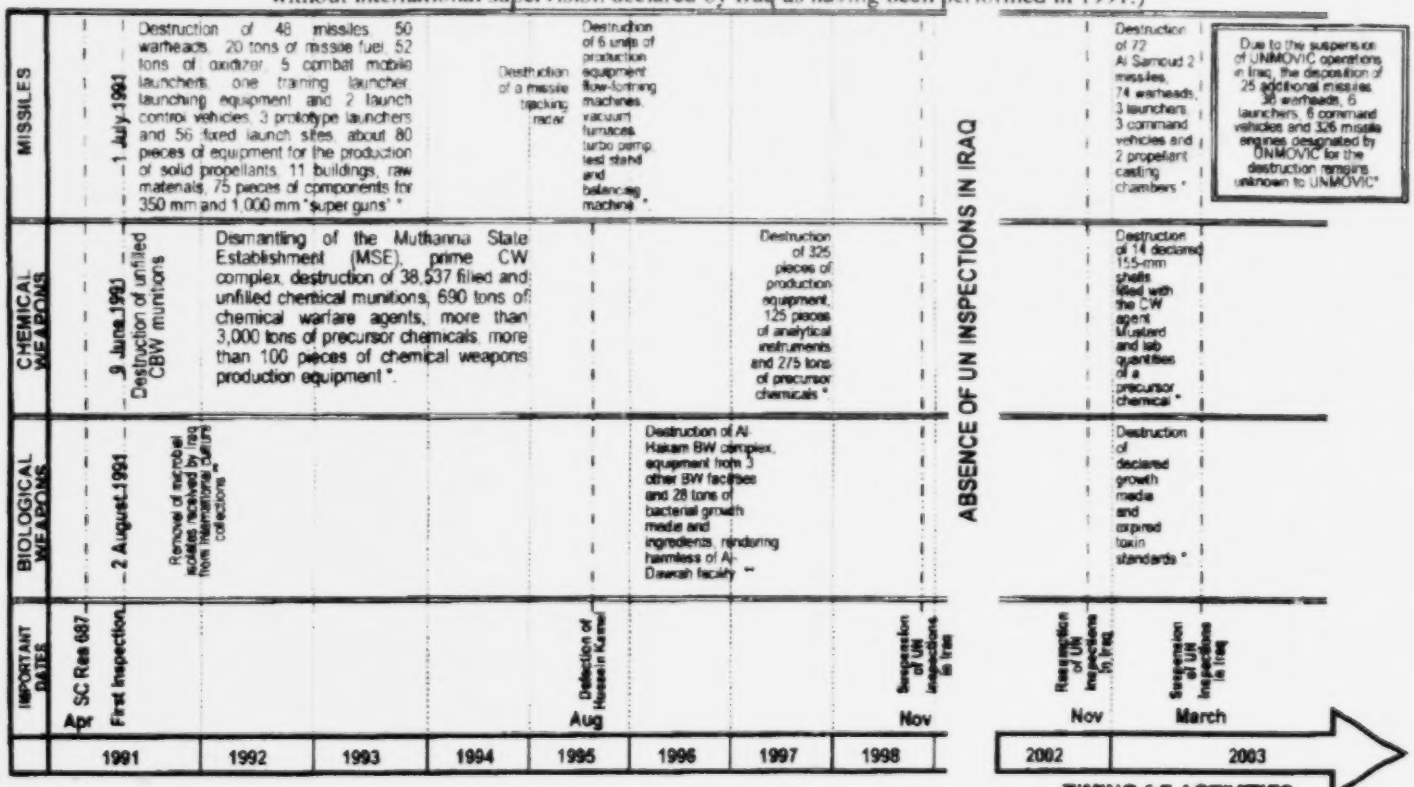
| *Laboratory* | *Analysis duties* |
|---|---|
| ABC Shutz, (WIS)Munster/Oertze, Germany | Biological analysis |
| Centre for Applied Microbiology and Research, Porton Down, United Kingdom | Biological analysis |
| Centre de Recherche du Service de Santé des Armées, La Tronche, France | Biological analysis |
| Centre des Etudes du Bouchet (CEB), Vert le Petit, France | Chemical and biological analysis |
| Chemical Defence Laboratory, Beijing | Chemical analysis |
| Defence Science and Technology Laboratory, Porton Down, United Kingdom | Chemical analysis |
| Finnish Verification Institute (VERIFIN), Helsinki | Chemical analysis |
| GosNIIOKht, Moscow[a] | Chemical analysis |
| Laboratorium Spietz, Switzerland | Chemical analysis |
| Swedish Defence Research Agency (FOI), Umea, Sweden | Chemical and biological analysis |
| TNO-Prins Maurits Laboratory, Rijswijk, Netherlands | Chemical and biological analysis |

[a] Contract in process.

## Appendix III.A

### Chronology of the destruction, removal or rendering harmless of items and materials by Iraq under the supervision of the Special Commission/UNMOVIC in accordance with Security Council resolution 687 (1991)

(This chronology does not include unilateral destruction of proscribed items and materials without international supervision declared by Iraq as having been performed in 1991.)


FIELDS OF ACTIVITY
MISSILES
CHEMICAL WEAPONS
BIOLOGICAL WEAPONS
IMPORTANT DATES
ABSENCE OF UN INSPECTIONS IN IRAQ
Destruction of 48 missiles, 50 warheads, 20 tons of missile fuel, 52 tons of oxidizer, 5 combat mobile launchers, one training launcher, launching equipment and 2 launch control vehicles, 3 prototype launchers and 56 fixed launch sites, about 80 pieces of equipment for the production of solid propellants, 11 buildings, raw materials, 75 pieces of components for 350 mm and 1,000 mm "super guns" *
Destruction of a missile tracking radar
Destruction of 6 units of production equipment (flow-forming machines, vacuum furnaces, turbo pump test stand and balancing machine) *.
Destruction of 72 Al Samoud 2 missiles, 74 warheads, 3 launchers, 3 command vehicles and 2 propellant casting chambers *
Due to the suspension of UNMOVIC operations in Iraq, the disposition of 25 additional missiles, 36 warheads, 6 launchers, 6 command vehicles and 326 missile engines designated by UNMOVIC for the destruction remains unknown to UNMOVIC*
1 July 1991
9 June 1993
Destruction of unfilled CBW munitions
Dismantling of the Muthanna State Establishment (MSE), prime CW complex, destruction of 38,537 filled and unfilled chemical munitions, 690 tons of chemical warfare agents, more than 3,000 tons of precursor chemicals, more than 100 pieces of chemical weapons production equipment *.
Destruction of 325 pieces of production equipment, 125 pieces of analytical instruments and 275 tons of precursor chemicals *
Destruction of 14 declared 155-mm shells filled with the CW agent Mustard and lab quantities of a precursor chemical *
2 August 1991
Removal of microbial isolates received by Iraq from international culture collections **
Destruction of Al Hakam BW complex, equipment from 3 other BW facilities and 28 tons of bacterial growth media and ingredients, rendering harmless of Al-Dawrah facility **
Destruction of declared growth media and expired toxin standards *
Apr
SC Res 687
First inspection
Aug
Defection of Hussein Kamel
Nov
Suspension of UN inspections in Iraq
Nov
Resumption of UN inspections in Iraq
March
Suspension of UN inspections in Iraq
1991
1992
1993
1994
1995
1996
1997
1998
2002
2003

** For details see fifteenth quarterly report (S/2003/1135 of 26 November 2003).

## Appendix III.B

**Major proscribed items and materials declared by Iraq as having been destroyed by the coalition during the 1991 Gulf war and unilaterally by Iraq in 1991**

(This does not include proscribed items and materials declared by Iraq as having been discarded prior to 1991)

| Field | Items and materials declared by Iraq as having been destroyed by the Coalition during the 1991 Gulf war | Items and materials declared by Iraq as having been destroyed unilaterally in 1991 |
|---|---|---|
| Proscribed missiles | ▪ Many structures that hosted proscribed missile activities. (However, most of the equipment therein had been evacuated prior to the bombardment.)<br>▪ No operational missiles and launchers were destroyed. | ▪ 85 proscribed missiles.<br>▪ 165 missile warheads (CBW warheads are not included).<br>▪ 5 imported mobile launchers.<br>▪ Launching equipment of 4 indigenous mobile launchers.<br>▪ 137 tons of missile fuel.<br>▪ 407 tons of missile oxidizer.<br>▪ Indigenous missile components. |
| Chemical weapons | ▪ About 42,000 chemical munitions, including 36,500 unfilled and 5,500 filled with CW agents.<br>▪ Over 800 tons of key precursors for the production of CW agents.<br>▪ 15 CW production units at the Muthanna State Establishment, over 100 pieces of major CW production equipment. | ▪ About 29,500 chemical munitions, including some 29,000 unfilled and 500 filled with CW agents.<br>▪ About 250 tons of key precursors for the production of CW agents. |
| Biological weapons | ▪ Laboratories of the Technical Research Centre at Salman Pak.<br>▪ No biological weapons and bulk BW agents were destroyed. | ▪ 157 R-400 aerial bombs and 25 warheads for the Al-Hussein missiles filled with BW agents.<br>▪ About 12,500 litres of bulk BW agents.<br>▪ Mobile storage tanks. |

United Nations S/2004/161

Security Council

Distr.: General
27 February 2004

Original: English

## Letter dated 26 February 2004 from the Secretary-General addressed to the President of the Security Council

Because of the deteriorating situation in Haiti, I have decided to appoint John Reginald Dumas (Trinidad and Tobago) as my Special Adviser on Haiti.

My Special Adviser will closely follow developments in Haiti in order to provide me with ongoing assessments of the political situation. He will examine ways in which the United Nations could enhance contributions to the alleviation of the political, economic and social crises that afflict that country. To that end, he will establish high-level contacts with Governments and regional organizations to identify possible areas of cooperation and joint action.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

04-25460 (E) 010304

United Nations S/2004/162

Security Council

Distr.: General
27 February 2004

Original: English

## Letter dated 27 February 2004 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 26 February 2004 (S/2004/161) concerning your decision to appoint John Reginald Dumas (Trinidad and Tobago) as your Special Adviser on Haiti has been brought to the attention of the members of the Security Council. They take note of the decision contained in your letter.

(*Signed*) **Wang** Guangya
President of the Security Council

04-25466 (E) 010304

United Nations S/2004/163

Security Council

Distr.: General
29 February 2004

Original: English

**Letter dated 29 February 2004 from the Permanent Representative of Haiti to the United Nations addressed to the President of the Security Council**

I have the honour to draw your attention to a letter from the President of the Republic of Haiti, His Excellency Mr. Boniface Alexandre.

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Jean **Alexandre**
Permanent Representative of Haiti to the United Nations

04-25404 (E) 290204

## Annex to the letter dated 29 February 2004 from the Permanent Representative of Haiti to the United Nations addressed to the President of the Security Council

[Original: English and French]

In my capacity as constitutional President of the Republic of Haiti, I issue an appeal to the Governments of friendly countries to support with all urgency the peaceful and constitutional process which has begun in my country.

To this end, I authorize security forces to enter and operate on the territory of the Republic of Haiti for the purpose of conducting activities designed to bring about a climate of security and stability which will support the political process under way, facilitate the furnishing of humanitarian assistance, and in general help the people of Haiti.

(*Signed*) Boniface **Alexandre**

United Nations S/2004/164

Security Council

Distr.: General
29 February 2004

Original: English and French

## Draft resolution

*The Security Council,*

*Recalling* its previous resolutions and statements by its President on Haiti, in particular the statement of 26 February 2004 (S/PRST/2004/4),

*Deeply concerned* by the deterioration of the political, security and humanitarian situation in Haiti and *deploring* the loss of life that has already occurred,

*Expressing its utmost concern* at the continuing violence in Haiti, as well as the potential for a rapid deterioration of the humanitarian situation in that country, and its destabilizing effect on the region,

*Stressing* the need to create a secure environment in Haiti and the region that enables respect for human rights, including the well-being of civilians, and supports the mission of humanitarian workers,

*Commending* the Organization of American States (OAS) and the Caribbean Community (CARICOM) for their lead efforts to advance a peaceful solution and for attempting to establish confidence among the parties, in particular through their Plan of Action,

*Taking note* of the resignation of Jean-Bertrand Aristide as President of Haiti and the swearing-in of President Boniface Alexandre as the acting President of Haiti in accordance with the Constitution of Haiti,

*Acknowledging* the appeal of the new President of Haiti for the urgent support of the international community to assist in restoring peace and security in Haiti and to further the constitutional political process now under way,

*Determined* to support a peaceful and constitutional solution to the current crisis in Haiti,

*Determining* that the situation in Haiti constitutes a threat to international peace and security, and to stability in the Caribbean especially through the potential outflow of people to other States in the subregion,

*Acting* under Chapter VII of the Charter of the United Nations,

1. *Calls on* Member States to support the constitutional succession and political process now under way in Haiti and the promotion of a peaceful and lasting solution to the current crisis;

04-25398 (E) 290204

2. *Authorizes* the immediate deployment of a Multinational Interim Force for a period of not more than three months from adoption of this resolution:

(a) To contribute to a secure and stable environment in the Haitian capital and elsewhere in the country, as appropriate and as circumstances permit, in order to support Haitian President Alexandre's request for international assistance to support the constitutional political process under way in Haiti;

(b) To facilitate the provision of humanitarian assistance and the access of international humanitarian workers to the Haitian people in need;

(c) To facilitate the provision of international assistance to the Haitian police and the Haitian Coast Guard in order to establish and maintain public safety and law and order and to promote and protect human rights;

(d) To support establishment of conditions for international and regional organizations, including the United Nations and the Organization of American States, to assist the Haitian people;

(e) To coordinate, as needed, with the OAS Special Mission and with the United Nations Special Adviser for Haiti, to prevent further deterioration of the humanitarian situation;

3. *Declares* its readiness to establish a follow-on United Nations stabilization force to support continuation of a peaceful and constitutional political process and the maintenance of a secure and stable environment, and in this regard requests the Secretary-General, in consultation with the Organization of American States, to submit to the Council recommendations, preferably by 30 days from adoption of this resolution, for the size, structure and mandate of such a force, including the role of international police and means of coordination with the OAS Special Mission, and for subsequent deployment of the United Nations force not later than three months from adoption of this resolution;

4. *Welcomes* the Secretary-General's February 27 appointment of a Special Adviser for Haiti, and *requests* the Secretary-General to elaborate a programme of action for the United Nations to assist the constitutional political process and support humanitarian and economic assistance and promote the protection of human rights and the development of the rule of law;

5. *Calls on* Member States to contribute personnel, equipment and other necessary financial and logistic resources on an urgent basis to the Multinational Interim Force and invites contributing Member States to inform the leadership of the force and the Secretary-General of their intent to participate in the mission; and *stresses* the importance of such voluntary contributions to help defray the expenses of the Multinational Interim Force that participating Member States will bear;

6. *Authorizes* the Member States participating in the Multinational Interim Force in Haiti to take all necessary measures to fulfil its mandate;

7. *Demands* that all the parties to the conflict in Haiti cease using violent means, and reiterates that all parties must respect international law, including with respect to human rights and that there will be individual accountability and no impunity for violators; *further demands* that parties respect the constitutional succession and the political process under way to resolve the current crisis, and

enable legitimate Haitian security forces and other public institutions to perform their duties and provide access to humanitarian agencies to carry out their work;

8. *Further calls* on all parties in Haiti and on Member States to cooperate fully with the Multinational Interim Force in Haiti in the execution of its mandate and to respect the security and freedom of movement of the Multinational Interim Force, as well as to facilitate the safe and unimpeded access of international humanitarian personnel and aid to populations in need in Haiti;

9. *Requests* the leadership of the Multinational Interim Force in Haiti to report periodically to the Council, through the Secretary-General, on the implementation of its mandate;

10. *Calls upon* the international community, in particular the United Nations, the Organization of American States, and the Caribbean Community, to work with the people of Haiti in a long-term effort to promote the rebuilding of democratic institutions and to assist in the development of a strategy to promote social and economic development and to combat poverty;

11. *Decides* to remain seized of the matter.

United Nations S/2004/165

# Security Council

Distr.: General
27 February 2004

Original: English

## Letter dated 26 February 2004 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit herewith the text of the address of the Khojaly refugees to the United Nations, the Council of Europe and the Organization for Security and Cooperation in Europe in connection with the twelfth anniversary of the Khojaly genocide committed by the Armenian forces on 26 February 1992 (see annex). I would be grateful if you could have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative

04-25474 (E) 020304

## Annex to the letter dated 26 February 2004 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

## Address of the refugees of Khojaly to the United Nations Organization, the Council of Europe and the Organization for Security and Cooperation in Europe

Our aim in applying to the United Nations Organization, the Council of Europe and the Organization for Security and Cooperation in Europe, which are influential international organizations of the world, is to bring the attention of the world community the truth about the Khojaly genocide committed by Armenians in the Nagorny-Karabakh region and to demand a legal-political evaluation of this bloody crime.

It is known to everybody who is at all familiar with the history of Azerbaijan that Khojaly, a town located in the mountainous part of Karabakh, is one of the oldest centres of population of Azerbaijanis. Rare exhibits and unique historical monuments found here during archaeological excavations are the visual evidence of that fact.

Armenians, who built a monument in 1978 devoted to the one hundred and fiftieth anniversary of their exodus from Iran to Azerbaijan, carried out a consistent occupation policy against Azerbaijan, with the assistance of their foreign supporters, in order to implement the idea of establishing "Greater Armenia" at the expense of historical Azerbaijani territories, and from time to time perpetrated terrible and horrific offences, including mass slaughter, deportation and genocide, in order to achieve this insidious aim.

Numerous historical documents testify that in 1905-1907, 1918-1920 and 1948-1953 in the Caucasus, millions of Azerbaijanis who suffered from the policy of ethnic cleansing and genocide were massacred and subjected to deportation from their ancient lands.

Once again, since 1988 groundless territorial claims against Azerbaijani and Armenian separatism rose again and led to the instigation of conflicts in Nagorno-Karabakh that had no historical, ethnic and political grounds. In 1988-1989, more than 250,000 Azerbaijanis living in their ancient lands in Armenia were subjected to deportation and hundreds of civilians were brutally killed. As a result, Armenia turned into the mono-ethnic country of which Armenians had been dreaming for years.

It is deplorable that the Nagorno-Karabakh conflict, which began in 1988, the rule of Armenian reactionaries in the territories of Azerbaijan and the bitter agony of innocent Azerbaijani victims were met with indifferent silence by the former USSR leadership and the rest of the world. Inspired by and exploiting this situation, Armenians succeeded in the perpetration of genocide and unprecedented historical crimes against Azerbaijanis. Twenty per cent of Azerbaijan territories, including seven adjacent regions that are behind the Nagorno-Karabakh administrative division, were occupied by Armenian military units, more than one million Azerbaijanis were expelled from their ancient lands, and 10,000 people were killed, disabled and taken hostage. Hundreds of settlements, thousands of public and

cultural buildings, educational and medical establishments, historical and cultural monuments, mosques, shrines and cemeteries were destroyed and were subject to unprecedented Armenian vandalism.

In the first years of the conflict, tragedies, acts of terror and massacres in the Azerbaijan villages of Nagorno-Karabakh, such as Karkijahan, Meshali, Qushchular, Qaradagly, Agdaban and finally in Khojaly, are historical crimes that will remain on the conscience of the "humble and martyr Armenian" as a perpetual black spot.

We inform you with bitter regret that the Khojaly genocide of 26 February 1992 has been added to the series of such human tragedies as Khatin, Hiroshima, Nagasaki and Songmi.

On the night of 25 and 26 February 1992, Armenian military units, with the direct participation of the 366th regiment belonging to the former USSR and at that time located in Khankendi (Stepanakert) of the Nagorno-Karabakh region, attacked from five directions Khojaly town, where approximately 7,000 Azerbaijanis were living. (During the attack three thousand people were in the town.) Up to that time, Khojaly had been under siege for more than four months and people were suffering from lack of medical service and food. There were many sick, injured and old people, women and children in the town.

Ruthless Armenian brigands devastated Khojaly, with the assistance of their foreign supporters, that night. The town was destroyed and burnt with the help of the harsh military methods of the 366th regiment. The unarmed civil population was subjected to terrible massacre — children, women, old and sick people were brutally killed. At the end of the twentieth century, Armenians committed another historical crime — the Khojaly genocide which is a black spot for mankind. The purpose of this savage act was the massacre of all the population of the town. But by some chance, many Khojaly inhabitants survived to testify to history.

As a result of the Khojaly genocide, the latest genocide of Armenians against Azerbaijanis, 613 persons were massacred and 1,275 civilians were taken hostage. The fate of 150 of those persons is not known today. As a result of the tragedy, more than 1,000 civilians were injured with bullet wounds. Among those killed, 106 were women, 83 children and 70 old people; 76 of those invalided were children.

As a result of this political-military crime, six families were killed entirely, 25 children lost both parents and 130 children lost one of their parents. Fifty-six martyrs were burnt alive with especial severity and brutality, their heads scalped, skulls battered and eyes putout, while pregnant women's stomachs were slashed open with bayonets.

It is hard to imagine that such unprecedented cruelty and savagery committed by human beings took place in the twentieth century in the eyes of the world! But the world should take note: the author of this historical crime, targeted not only against Azerbaijanis but also against the whole of civilized humanity, is a "humble and martyr Armenian".

For 12 years already, we, the population of Khojaly, who have been subjected to a refugee life, appealed with pain and also with great hope to all peaceful people of the world and international organizations. We request you not to treat indifferently and in a cold manner the disasters and griefs that we suffered from Armenian military aggression. We do not believe that the most influential

organizations of the world, such as the United Nations, the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe, as well as peaceful powerful countries, are not able to urge the aggressor State — Armenia — to respect justice and order.

We declare our confidence that the world community will denounce the military aggression of Armenia against Azerbaijan and will assist the promotion of the territorial integrity of Azerbaijan, the return of the more than one million refugees to their native lands and the resolution of the Azerbaijan-Armenian conflict peacefully and on the basis of historical and political justice.

We, the population of Khojaly, witnessed the horrible tragedy of 11 September 2001 in the United States that resulted in the death of thousands of innocent people with deep grief. Although it is very painful, this awful universal tragedy returned us to the bloody day of 26 February 1992, because we and thousands of Azerbaijani refugees have suffered the disaster that took place in the United States in our own experience and today are living a difficult and desperate refugee life in wagons, tents, underground dwellings and cellars.

We, the population of Khojaly, who suffered one of the most horrible disasters of the twentieth century, call on all people of the world to struggle for peace and tranquillity. We call on all international organizations and peaceful, influential States of the world to mobilize to extinguish wars in the world, and struggle for peace and tranquillity, and a thriving and happy human society!

We, witnesses of Khojaly genocide who have survived as a result of a miracle, denouncing all forms of genocide and acts of terror against humanity, appeal once more to the United Nations, the Council of Europe, OSCE and the progressive world community, and bring to their attention the necessity for a legal-political evaluation of the Khojaly genocide.

Address adopted at a meeting of
Khojaly refugees, 12 February 2004

Baku, 12 February 2004

United Nations S/2004/166

Security Council

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27 February 2004

Original: English

# Letter dated 27 February 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, containing an account of the Committee's activities for the year 2003. The report, which was adopted by the Committee today, 27 February 2004, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(*Signed*) Ronaldo Mota **Sardenberg**
Chairman
Security Council Committee established pursuant to
resolution 1132 (1997) concerning Sierra Leone

04-25501 (E) 020304

# Annex

## Report of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

## I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone covers the period from 21 December 2002 to 31 December 2003.

2. A report of the Committee covering its activities from January to December 2002 was submitted to the Security Council on 20 December 2002 (S/2002/1414).

3. For 2003, the Bureau consisted of Adolfo Aguilar Zinser (Mexico) as Chairman, from 1 January to 20 November 2003, the delegations of Cameroon and Pakistan providing the Vice-Chairmen. During the reporting period the Committee held six formal and two informal meetings.

## II. Background information and summary of the work of the Committee

### A. Background information

4. By its resolution 1132 (1997) of 8 October 1997, the Security Council, determining that the situation in Sierra Leone, following the military coup of 25 May 1997, constituted a threat to international peace and security in the region, imposed a mandatory ban on the sale or supply by States to Sierra Leone of arms and related materiel, and petroleum and petroleum products. By paragraph 5 of the resolution, the Council also imposed travel restrictions on members of the military junta and adult members of their families. Subsequently, by its resolution 1156 (1998) of 15 March 1998, the Council lifted the oil embargo and, by its resolution 1171 (1998) of 5 June 1998, confirmed the removal of sanctions on the Government and reimposed the arms embargo and travel ban on leading members of the Revolutionary United Front and of the former military junta.

5. On 5 July 2000, the Security Council adopted resolution 1306 (2000) in which, inter alia, it decided, in paragraph 1, that all States should prohibit the direct or indirect import of rough diamonds from Sierra Leone to their territory.

6. On 19 December 2001, the Security Council, by resolution 1385 (2001), extended for a period of 11 months, from 5 January 2002, the measures imposed by paragraph 1 of resolution 1306 (2000), except that, pursuant to paragraph 5 of that resolution, rough diamonds controlled by the Government of Sierra Leone under the certificate-of-origin regime would continue to be exempt from those measures.

7. On 4 December 2002, the Security Council, by resolution 1446 (2002), decided to extend, for a new period of six months, beginning on 5 December 2002, the prohibition of the import of Sierra Leone rough diamonds except those controlled by the Government under the certificate-of-origin regime.

## B. Summary of the activities of the Committee

8. As agreed by the Committee at its 29th meeting, the Chairman addressed letters, dated 20 February 2003, to the President of Sierra Leone and to the Special Representative of the Secretary-General for Sierra Leone, seeking recommendations with regard to the list of individuals affected by the travel restrictions imposed by paragraph 5 of resolution 1171 (1998) that the Committee might take into account when reviewing the list.

9. After considering the replies received from the Government of Sierra Leone and the Special Representative of the Secretary-General the Committee decided, at its 31st meeting, to delete the following names of persons confirmed deceased from the list of individuals affected by the travel restrictions imposed by paragraph 5 of resolution 1171 (1998): Sergeant Sahr Gborie, Major Victor L. King, Brigadier General S. F. Y. Koroma, Solomon Y. B. Rogers, Major Kula Samba, Hon. Staff Sergeant Abu Sankoh, Colonel Abdul Karim Sesay, and Abdul Salami Williams. Subsequently, the Committee issued a revised travel ban list on 6 June 2003, which was communicated to all States by note verbale, and which was also published as a press release of the Security Council.

10. In response to the note verbale transmitting the revised travel ban list, several States wrote to the Committee requesting additional information regarding the individuals included in the list and noting that such information would assist them in implementing the Council's measures. The Committee subsequently authorized the Chairman to write to the Sierra Leonean authorities to seek additional information, including passport details, date and place of birth, and photographs of the individuals concerned.

11. Following a decision taken by the Committee at its 34th meeting, the Acting Chairman on 17 December 2003 wrote to the Permanent Representative of Sierra Leone to the United Nations, seeking the Government's views regarding (a) the framework to be used for reviewing and revising the travel ban list; (b) revised criteria for the addition and removal of names to and from the list; and (c) the need for the legal basis of the travel ban to be redefined. The Permanent Representative of Sierra Leone conveyed a reply to the Committee dated 22 December 2003, which contained specific information regarding the death of two individuals included in the travel ban list (Colonel Sam Bockarie and Corporal Foday Sankoh), and which also indicated that the views of the Government of Sierra Leone on the broader questions of reviewing and revising the travel ban list would be forwarded to the Committee in due course.

12. On 25 March 2003, the Committee approved a request from the Government of Sierra Leone for an exemption of the travel restrictions for Dr. Bailah Leigh to travel to Brazzaville to participate in the World Health Organization consultative meeting, held from 8 to 12 April 2003.

13. In a communication dated 4 April 2003, the Attorney-General and Minister of Justice of Sierra Leone requested the Committee to grant a waiver of the travel restrictions which would permit Foday Sankoh to be evacuated to Accra to receive medical treatment. In a reply dated 7 April 2003, the Chairman informed the Permanent Mission of Sierra Leone that the Committee could not agree to the request at that time. Recognizing the humanitarian nature of the case, the Chairman in his reply stated that the Committee would reconsider the travel ban waiver

request for Mr. Sankoh upon receiving written assurances that legal provisions were in place to ensure that Mr. Sankoh would be kept in the custody of the Special Court for Sierra Leone while travelling to receive medical attention, and that he would be returned to Sierra Leone after treatment.

14. At its 32nd meeting, on 11 July 2003, the Committee considered a letter dated 25 June 2003 from the Registrar of the Special Court for Sierra Leone requesting an exemption to the travel restrictions for Foday Sankoh in the light of a further deterioration of Mr. Sankoh's health. The Committee decided that the Chairman should write to the Registrar of the Special Court informing him that the Committee was prepared to grant a travel ban waiver for Mr. Sankoh (despite the fact that no agreement had been reached between the Special Court and the State where he was to receive treatment) if a new request were accompanied by a clear purpose for the travel with a defined destination and specific dates for his departure and return, and also by assurances from the Special Court that qualified personnel from the Court would escort Mr. Sankoh and provide adequate security. Subsequently, as mentioned in paragraph 11, Mr. Sankoh died.

15. At its 30th meeting, on 8 April 2003, the Committee considered a communication from the Government of Sierra Leone containing further details regarding information provided in its fourth review of the certificate-of-origin regime (S/2002/826).

16. In a letter dated 20 May 2003 addressed to the President of the Security Council, the Chairman conveyed to the Council the Government of Sierra Leone's fifth review of the certificate-of-origin regime for the export of Sierra Leone diamonds (S/2003/559 and Corr.1), which the Committee considered during its informal consultations on 23 May and at its 31st meeting on 30 May.

17. On 4 June 2003 the Chairman briefed the Security Council on the Committee's deliberations concerning the Government of Sierra Leone's fifth review of the certificate-of-origin regime, as part of the Security Council's review of its prohibition against the import of rough diamonds from Sierra Leone not controlled by that regime, pursuant to paragraph 2 of resolution 1446 (2002).

18. On 5 June 2003, following the Security Council's review, the President of the Council read out a statement to the press, in which it was noted, inter alia, that in the light of the Government of Sierra Leone's increased efforts to control and manage its diamond industry and ensure proper control over diamond mining areas, and the Government's full participation in the Kimberly Process, members of the Council had agreed not to renew its prohibition against the import of rough diamonds from Sierra Leone not controlled by the certificate-of-origin regime.

### C. Violations and alleged violations of the sanctions regime

19. At its 30th meeting the Committee considered a letter dated 26 February 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia, in which attention was drawn to alleged violations of the Sierra Leone diamond sanctions described in the report of the Panel of Experts on Liberia dated 25 October 2002 (S/2002/1115). With the Committee's agreement the Chairman, on 17 April 2003, addressed letters to the Permanent Representatives of the Gambia, Guinea, Mali, Senegal and Sierra Leone to the United Nations requesting information on the alleged violations of the diamond ban.

Responses were received from the Gambia, Guinea and Sierra Leone. The Committee would have liked to receive responses to all of the letters it dispatched in connection with the alleged violations of the sanctions, particularly in the light of the Committee's usual practice of always following up on unanswered correspondence. However, given the fact that the Security Council had not renewed the prohibition against the import of rough diamonds from Sierra Leone not controlled by the certificate-of-origin regime, the members could not reach consensus on the matter of dispatching follow-up letters to Mali and Senegal.

## III. Observations

20. In the absence of a specific monitoring mechanism to ensure the effective implementation of the sanctions regime, the Committee urges all States and organizations that are in a position to provide it with pertinent information to do so. The mandate of the Committee pertaining to the arms embargo could also be facilitated by reports through the Economic Community of West African States, the United Nations Mission in Sierra Leone and the United Nations Mission in Liberia.

United Nations A/ES-10/257–S/2004/167

General Assembly
Security Council

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**General Assembly**
**Tenth emergency special session**
Agenda item 5
**Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory**

**Security Council**
**Fifty-ninth year**

## Identical letters dated 27 February 2004 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

The Israeli occupying forces continue to kill and wound Palestinian civilians as Israel, the occupying Power, continues to carry out its illegal policies and practices throughout the Occupied Palestinian Territory, including East Jerusalem. The occupying forces continue to use excessive, indiscriminate and lethal force against the Palestinian civilian population. In recent days, the Israeli occupying forces have used live ammunition, in addition to rubber-coated steel bullets and tear gas, against unarmed civilians, demonstrating, including by stone-throwing, against the occupying Power's illegal actions, including the ongoing construction of the Wall in the Occupied Palestinian Territory.

Yesterday, 26 February 2004, the Israeli occupying forces shot and killed two Palestinian men, Mohammed Fadil Hashim Rayan, 25 years old, and Zakariya Mahmoud Eid Salem, 28 years old, who were among dozens of Palestinian civilians demonstrating against the commencement by Israel of construction of the Wall in the areas of the villages of Biddu, Beit Ijza and Beit Duqu near the illegal Israeli settlement of "Givon Hahadasha". When the demonstrations began early yesterday morning, the occupying forces attempted to disperse the demonstrators by unleashing tear gas against them. Many of the demonstrators had tried to block the paths of bulldozers that were raising land in the area for construction of the Wall. The occupying forces then opened fire with live ammunition against the demonstrators, killing the two men and injuring 70 other Palestinian civilians, many of whom were seriously wounded, including Mohammed Badwan, a 21-year-old man who was critically injured after being shot in the head, and Mohammed Hmedian, 70 years old, who was struck by a rubber bullet and sustained a serious eye injury. In addition to the two men killed, an elderly man, Abdelrahman Abu Abed, 70 years old, died of a heart attack induced by the inhalation of tear gas.

Israel's vicious use of force against Palestinian civilians protesting the ongoing and incessant illegal Israeli measures being carried out for the construction of the

04-25509 (E) 010304

Wall, including the confiscation of their land, the destruction of their property, the uprooting of their trees and the isolation of their villages and agricultural lands, illustrates the intransigence of the occupying Power in its pursuit of this illegitimate campaign in flagrant violation of international law, including international humanitarian law and international human rights law, and the will of the international community. The occupying Power continues to construct this Wall in the Occupied Palestinian Territory, including in and around East Jerusalem, with total contempt for the resolutions of the United Nations and in complete disregard of the current advisory proceedings of the International Court of Justice, the principal judicial organ of the United Nations, on the legal consequences arising from the continued construction of the Wall.

At the same time, the occupying Power persists in carrying out other illegal policies and measures throughout the Occupied Territory. On Wednesday, 25 February 2004, the Israeli occupying forces raided the city of Ramallah and imposed a curfew on its inhabitants. Dozens of Israeli jeeps, armoured personnel carriers and trucks invaded the city and raided several banks. The occupying forces then entered banks, searched computer and account records and seized currency amounting to at least US$ 9 million. During the raid, the occupying forces threw stun grenades and fired tear gas and rubber-coated steel bullets at protesters, injuring about 45 Palestinian civilians.

The above-mentioned actions, in addition to the continuing restrictions being imposed on the movement of the Palestinian civilian population and the detention and imprisonment of thousands of Palestinians, constitute serious violations and even grave breaches of the Fourth Geneva Convention and additional Protocol I to the Geneva Conventions. The international community must continue to act to bring an end to such violations and breaches and to ensure Israel's compliance with international law and with its obligations as an occupying Power.

The present letter is in follow-up to our previous 180 letters addressed to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 11 February 2004 (A/ES-10/256-S/2004/107), constitute a basic record of the crimes committed by the Israeli occupying forces against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, it is with profound regret that I inform you that, since our last letter, at least 18 Palestinians, including a woman and children, have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2003 to 2,777 Palestinians. (The names of the martyrs that have been identified are contained in the annex to the present letter.)

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Dr. Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

## Annex

### Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem[a] (Thursday, 12 February, to Thursday, 26 February 2004)

**Thursday, 12 February 2004**

1. Samer Jasser Fawzi Arrar
2. Mohammed Abdelghani Al-Hamaida (18 years old)
3. Basheer Khalil Abu Urmana (12 years old)

**Friday, 13 February 2004**

1. Ahmed Abdelqader Nazzal
2. Mohammed Issa Ahmed Jalaitah
3. Suad Mohammed Qreinawi

**Monday, 16 February 2004**

1. Jamal Mohammed Yussef Al-Afifi
2. Mohammed Ibrahim Al-Sheikh
3. Mohammed Saleh Zurub

**Tuesday, 17 February 2004**

Muin Fayez Abu-Sharikh (18 years old)

**Wednesday, 18 February 2004**

Rifaat Shehadeh Shaiir

**Thursday, 19 February 2004**

1. Muhannad Faiq Mohammed Abu Hattab
2. Mowafak Mohammed Shaban Al-Araj

**Saturday, 21 February 2004**

Osama Yussef Imghari

**Thursday, 26 February 2004**

1. Zakariya Mahmoud Eid Salem
2. Mohammed Fadil Hashim Rayan
3. Abdelrahman Ibrahim Abu Abed

**Friday, 27 February 2004**

Abdelhamid Khattab

[a] The total number of Palestinian martyrs killed by Israeli occupying forces since 28 September 2000 is 2,777.